THE MYSORE LEGISLATIVE ASSEMBLY

EIGHTH DAY

Thursday, 9th March 1961

The House met in the Assembly Hall, Vidhana Soudha, Bangalore, at One of the Clock.

Mr. SPEAKER (Sri S. R. KANTHI, B.A., LL.B.), in the Chair.

MEMBER'S REPRESENTATION

Sri J. B. MALLARADHYA (Nanjangud).—Sir, to-day we see from the agenda that question hour is dispensed with. We made a special representation yesterday and I remember the Chair recognised the need for restoring the question-hour from to-day. I do not know why this is taken away from the agenda.

Mr. SPEAKER.—Because I did not expect that there would be a walk-out (laughter)..

Sri J. B. MALLARADHYA.—It will come later.

Mr. SPEAKER.—In fact my idea was to dispense with the question-hour till the disposal of this motion.

Sri G. VENKATAI GOWDA (Palayam).—Yesterday the Chair was pleased to assure Sri Puttaswamy that the question-hour would be re-introduced with effect from to-day.

Mr. SPEAKER.—I was expecting many things. In the first place, I had a talk with the Leader of the Opposition and the Leader of the House in this respect that as much time as possible should be given for the discussion of the motion of censure against the Government. With that view, I have suspended the question-hour because I would like the time being utilised for this purpose. As this motion dragged on and the motion could not be disposed of yesterday and had to be carried over to to-day, I had already made up my mind that I would dispense with the question-hour to-day also.

†ಶ್ರೀ ಬಿ. ಕೆ. ಪುಟ್ಟರಾಮಯ್ಯ (ಚನ್ನಪಟ್ಟಣ.)—ಸ್ವಾಮಿ, ಈಗ ಸ್ಪೀಕರ್ ಅವರು ಹೇಳಿದ ಪ್ರಕಾರ ನಾನೂ ಅವರೂ ಕೂಡಿ ಮಾತನಾಡಿದ್ದು ನಿಜ. ಈ ನಿರ್ಣಯದ ಮೇಲೆ ಡಿಬೇಟ ಆಗುವವರೆಗೆ ಕ್ವೆಶ್ಚನ್ ಅವರ್ ತರಬಾರದು ಎನ್ನುವುದಕ್ಕೆ ನಾನು ಒಪ್ಪಿಕೊಳ್ಳಲಿಲ್ಲ. ಒಂದೇ ಒಂದು ದಿವಸದ ಮಟ್ಟಿಗೆ question-hour ಇರಬಾರದು ಎಂಬುದಕ್ಕೆ ಅಷ್ಟೆ ಒಪ್ಪಿಗೆ ಕೊಡ ಲಾಗಿತ್ತು. ಈ ರೀತಿ ಐದಾರು ದಿವಸ ಮಾಡಲು ದಾನು ಒಪ್ಪಿಕೊಂಡಿಲ್ಲ. ಯಾಕಂದರೆ ನಮ್ಮ question-hour ಹಕ್ಕನ್ನು ಬಿಟ್ಟುಕೊಡಲು ನಾನು ಸಿದ್ಧನಿಲ್ಲ. ಆದ್ದರಿಂದ ನಾನು ಅವರು

†Indicates that the remarks are speeches have not been revised by the Member concerned.

(ಶ್ರೀ ಬಿ. ಕೆ. ಪುಟ್ಟರಾಮಯ್ಯ)

ಹೇಳುವ ಹಾಗೆ ಒಪ್ಪಿಕೊಂಡಿಲ್ಲ ಎಂದು ಈ ನಭೆಗೆ ಹೇಳಬೇಕಾಗಿದೆ. ಈ ಅವಿಶ್ವಾಸ ನಿರ್ಣಯದ ಚರ್ಚೆಗೆ ನಮ್ಮ question-hour ಹಕ್ಕನ್ನು ಕಳೆದುಕೊಂಡು ಕಾಲ ಕೊಡಬೇಕಾಗಿಲ್ಲ. ಹೀಗೆ question-hour ಕಾಲವನ್ನು ಡಿಬೇಟಿಗೆ ಉಪಯೋಗಿಸಿಕೊಂಡದ್ದು ಸಾಧುವಾದುದು ಅಲ್ಲ ಎಂದು ನಾನು ಹೇಳುತ್ತೇನೆ.

Mr. SPEAKER.—Apart from that, I have a right under Rule 32 to suspend the question-hour.

Sri B. K. PUTTARAMAIYA.—We are not questioning the Chair's power. The Chair has got ample powers.

Mr. SPEAKER.—First of all, this question of having given up the question-hour was raised by Sri Puttaswamy who belongs to the party-in-power. I thought then that this method of avoiding the question-hour was being appreciated by the Opposition. Now I find, on account of the changed circumstances, they might like to have the question-hour to-day. Under these circumstances, my action might be questioned, but I have the power and I have done it. The Hon'ble Members will bear with me when I say that I did it because I wanted that as much time as possible should be given to this debate. This action would have been continued to be appriciated if everything had gone on smoothly.

Sri C. M. ARUMUGHAM (K. G. F.).—The Chair's presumption is not correct.

Mr. SPEAKER.—That is my interpretation.

Sri J. B. MALLARADHYA.—Sir, with your permission I would request you kindly, if it is not out of the way to reconsider the question raised yesterday.

Mr. SPEAKER.—I cannot brooke it at all. It is not in the agenda at all.

Sri J. B. MALLARADHYA.—I am not referring to the Question Hour. I am talking about the ruling you were pleased to give yesterday saying that the mover of the motion cannot speak once again after his having replied to the debate. There is one another aspect...

Mr. SPEAKER.—There is no other aspect. Let not the Hon'ble Member re-open the issue.

Sri J. B. MALLARADHYA.—I am speaking on a fresh point. If the Chair is convinced of the correctness of my point, it can consider it.

Mr. SPEAKER.—I request the Hon'ble Member not to raise the point.

Sri J. B. MALLARADHYA.—There is a fresh point.

Mr. SPEAKER.—If it is in respect of Rules 294 and 295, I would not like it to be raised again.

Sri J. B. MALLARADHYA.—It is in respect of Rule 294 (2) which was missed in the heat of the moment yesterday.

Mr. SPEAKER.—It was not missed. Sri Narasimhan and Sri Venkatai Gowda drew my attention to it. I said that the rule applied normally to all, except the mover of the motion. In regard to the Ministers, I also said that they had a second right of speaking in the House, whether they had taken part in the first instance or not, with the permission of the Chair. There is no fresh point involved.

Sri J. B. MALLARADHYA.—Sir, you are the champion and the guardian of the rights of every Member and you also went to establish healthy conventions. I want you to kindly give me a chance. If I fail to convince you, you can make a decision contrary to my representation.

Mr. SPEAKER.—But please remember there is no question of altering my ruling. That ruling should be accepted.

Sri J. B. MALLARADHYA.—I bow to the Chair.

Mr. SPEAKER.—Any other material which affects it should be left to me to consider.

Sri J. B. MALLARADHYA.—I want to press home a point which remained unnoticed yesterday.

Mr. SPEAKER.—I am not going to change the ruling unless I am convinced.

Sri J. B. MALLARADHYA.—Yesterday you gave the ruling, which is 100% technically correct. There is no doubt about it. I said that having regard to the establishment of healthy conventions, the Speaker has got enormous powers.

Sri S. D. KOTHAWALE.—On a point of order, Sir.

Sri C. J. MUCKANNAPPA.—When there is a representation to the Speaker, can any body create disorder by raising points of order Sir ?

†Sri S. D. KOTHAWALE (Chikodi).—The Hon'ble Member Mr. Mallaradhya wants to address the Chair on points which the Chair has decided yesterday. Now he is saying that certain aspects were lost sight of while the Chair decided that point. Now we have lost valuable time and after hearing all the Members—perhaps more Members on the Opposition than on this side, the Chair has come to the conclusion that the Ministers should be permitted to give their replies. Now after having done all that, and after staging a walk-out on that decision, now theyare coming with a so called new aspect of the question and want the Chair to revise the decision. I think when a decision is taken, there is no question of revision. I think it is irrevokable. My request to the Chair and this is my point of order. nobody should be allowed to say anything for the purpose of revising that decision,

Sri C. M. ARUMUGHAM (K.G.F.).—Where is the point of order ? He cannot appeal to the Chair like this. Let him not make a statement here. You have no point of order.

Mr. SPEAKER.—Let me say one thing. I must say I do not know with what feelings, I have found Sri Arumugham assuming the air of the Speaker.

Sri S. D. KOTHAWALE.—Sir, the Hon'ble Member Mr. Mallaradhya was pleased to say that he wants to say something to bring out a new point arising out of previous sub-rule (2) of 294. Therefore, my submission to the Chair is that there is no provision under the Rules for revising a finding once given on the subject. Therefore the request urging the Speaker to revise the ruling is wrong. An attempt is being made to circumvent the dicision of the Chair. I think it should not be tolerated. Therefore, the decision of the Chair should not be circumvented.

Sri C. M. ARUMUGHAM.—Sir, I rise to a point of order. Is it a point of order that he is making ? He cannot make an elaborate statement and then say this is my point of order ; give a ruling.

Mr. SPEAKER.—That is what most of the Members have been doing.

Sri C. M. ARUMUGHAM.—Not on this side.

Mr. SPEAKER.—Most of the Members have done it.

Sri S. D. KOTHAWALE.—In a nut-shell, the position is this. There is no provision for allowing any circumvention of the ruling already given. No discussion on this point is permissible under the Rules Sir.

Sri C. J. MUCKANNAPPA.—Is there any meaning in making a fervent appeal to the Chair not to change the ruling and then call it as a point of order ?

Mr. SPEAKER.—Sri Muckannappa, is also free to make a fervent appeal to open it again.

Sri M. C. NARASIMHAN.—Is that position as stated by Sri Kothawale fundamentally correct Sir ? Supposing some fresh light is thrown on the subject subsequently, what prevents the Speaker from revising the ruling ? Even courts have powers of revision.

Sri J. B. MALLARADHYA.—I do not know why my friend Sri Kothawale used very big phrases circumventing and so on. I began by saying that I bow to the decision of the Chair so far as that ruling is conecrned. I only said that I had a fresh aspect to bring to the Speaker's notice. I am not prepared to accept that the Speaker has no powers to revise his decision if for any reason he considers that a revision is called for in the interest of establishing healthy parliamentary conventions.

What I wanted to bring to the notice of the Chair is 294(2). The decision given by the Chair is in respect of the mover of the motion. If you will kindly read 294 (2) :

> "(2) Except in the exercise of a right of reply or as otherwise provided by these rules, no Member shall speak more than once to any motion, except with the permission of the Speaker."

I say, I have spoken once. Please allow me, after the Ministers have spoken, to speak again in the extraordinary circumstances of the case. That is my submission. Am I out of the court so far as 294 (2) is concerned ? Your decision is in respect of the mover of the motion. But this (2) enables the Chair to give any Member a chance to speak. My submission to the Chair is kindly to give me permission, having spoken once, after the Ministers have spoken, to speak again. That is my submission.

Sri L. S. VENKAJI RAO (Basavangudi.)—I submit that I too can stand a chance to speak again Sir ?

Mr. SPEAKER.—Sri Mallaradhya has not in any way spoken against the Ruling. That credit I must give him. But he wants to take shelter under Rule 294 (2) and says that he wants the permission of the Chair to speak again and he wants one more chance after the Ministers have spoken. This is not the occasion when he should make a request of that kind. The occasion arises only after the Ministers have spoken. If he makes his submissions at that time, I will think about it and I will say whether I can give him a chance or not.

†Sri J. B. MALLARADHYA.—You will kindly remember yesterday when the Hon'ble Speaker requested or wanted to ascertain whether any of the Members of the Treasury Benches is prepared to intervene in the debate, none of the Ministers got up. That is a very significant situation that has been created. When once the Ministers have refused to take part or intervene in the debate, I said that they forfeit their right to speak. The Hon'ble Speaker has in view of the extraordinary situaiton when the mover of the proposition said that when none of the Ministers have said anything, what is there for me to reply—it is very significant that the no confidence motion is against the Council of Ministers and it is the Ministers who had to speak. Although they have forfeited their right to speak under the Rules, you were kind enough to give them chance to speak. Similarly, if you assure me of a chance to speak after they have spoken, it would be all right. It is under these circumstances, that I want the Chair to assure me whether I will get a chance.

Mr. SPEAKER.—I cannot say anything about it now. Secondly, there is a difference between Sri Mallaradhya's position and the position of the Treasury Benches. The Treasury Benches have not opened their mouth at all. So when I gave permission to the Ministers to speak at this stage there was a strong reason for me to do that.

(Mr. SPEAKER)

Similarly there must be a very strong reason for Sri Mallaradhya also if he wants to speak again. There is no question at all of a strong reason for him because nobody has spoken against the motion except the four private Members on the other side. Anyway, I can think about it only at that time.

Sri B. K. PUTTARAMIYA.—What is coming in the way of your deciding it now itself ?

Mr. SPEAKER.—There is nothing coming in my way.

Sri B. K. PUTTARAMAIYA.—We want to have your decision now.

Mr. SPEAKER.—This is not the proper time.

Sri B. K. PUTTARAMAIYA.—This is the time, otherwise why should Sri Mallaradhya sit here and hear them ?

Mr. SPEAKER.—I have said that Sri Mallaradhya had one chance. On the contrary, the Ministers have had no chance and so they will now speak with the permission of the Chair.

Sri B. K. PUTTARAMIYA.—What is your ruling ?

Mr. SPEAKER.—My ruling is that the point raised by Sri Mallaradhya is such that it should be raised at a subsequent time.

Sri B. K. PUTTARAMIYA.—There is no necessity for me to say.

Mr. SPEAKER.—He cannot dictate terms to me.

†Sri B. K. PUTTARAMIYA.—I am not a dictator to dictate. I do not think in democracy Members can be dictators. Anyhow it is quite clear to us that we do not get a fair deal in this particular subject of no confidence motion in any way. There is no need for me to say again that we are staging walk-out against this attitude of the speaker. I was the Speaker. In spite of that, on the attitude of the Sepaker we are going out.

(*At this stage, Member of the Opposition wtthdrew from the House*)

Mr. SPEAKER.—I do not want to be dictated by anybody.

Sri G. VENKATAI GOWDA.—Sir, when the mover of the motion of no confidence and the Members who have supported the motion or not here to hear the reply, is it proper for the Ministers to reply ?

Mr. SPEAKER.—It is quite proper. If the mover of a motion makes a speech after moving his motion and does not remain present when the time for Government reply comes, why should the Government lose the right of reply ?

Sri G. VENKATAI GOWDA.—Is it desirable for them to reply at all when the persons who have made the charges are not present to hear the reply ?

Sri L. S. VENKAJI RAO.—The whole House is seized of the matter and it cannot be said that only the mover of the motion and the

supporters are entitled to hear the reply. The whole House is entitled to hear the reply.

Motion of no confidence in the Council of Ministers Debate— (contd.).

†Sri H. M. CHANNABASAPPA (Minister for Home).—Mr. Speaker, Sir, Sri Puttaramaiya, the Leader of the Oppositition, has tabled a motion of no-confidence and in that motion he has made a mention of 15 charges as they say. I watched with very great attention to find out if they had any material for making these charges. I should say that I am very much disappointed that except for saying that everything is wrong from A to Z, they have not made out one concrete case wherein they could prove at least with a reasonable measure of success that the Ministry has been in any way incompetent, inefficient, corrupt or anything of the like that they have said. They have made false statements in the no confidence motion. I expected that they would at least cite instances in support of those accusations. The debate that went on for the last few days appeared to me that it was more a political stunt and the motion has been brought up more for political reasons than for any real grievance. During the course of the debate, I am very sorry to say, they have transgressed all limits of decency and decorum and given a go-by to the well-understood and established principles of parliamentary debate, namely, that when serious charges are made against persons in authority or against responsible persons, the Members should, while making those charges, be sure of their grounds. It is very unfortunate that some of the Members have made very wild and fantastic allegations. They do not have even the courtesy to sit here and try to understand what the Government has to say in regard to those charges. I know why they have staged a walk-out. I should submit that in parliamentary democracy it is in the fitnes, of things that the opposition should try to understand what the Government has to say in regard to the charges made. I have found that the Members of the Opposition who have staged a walk-out have deliberately done it on one pretext or the other. There was absolutely no reason whatsoever for that. The speaker was pleased to give a ruling yesterday alone. The debate on that point went on nearly for one hour. To-day also the Speaker did not budge from the stand that he took which he rightly took and that have made it a case to go out. Is it fair, I ask, in parliamentary democracy? In parliamentary democracy differences do arise, but there is a way of settling these differences. When the Chair gave a ruling that the Government shall reply they should have had the courtcy and the generosity to sit and hear what the Govetnment have to say in regard to those allegatsions.

Coming to the allegations themselves, as I rightly said, they are all bald. They simply say everything is wrong. I shall now refer to only a few of them which pertain to me, namely, the Home Ministry, the Anti-Corruption and Efficiency and the Sharavathi Valley Project to which also there was some reference by some Members.